IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24011 of 2008
MD.JAMAL & ORS
Versus
THE STATE OF BIHAR
with
Cr.Misc. No.24040 of 2008
MD. MATIBUL
Versus
STATE OF BIHAR
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2 09/07/2008 Above noted applications have arisen out of one occurrence i.e. Thakurganj P.S. Case No. 7 of 2008 as such they have heard together and are being disposed of by this common order.

The petitioners are accused of a case registered under sections 21, 22 of the N.D.P.S.Act and sections 328, 414/34 of the Indian Penal Code.

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The case relates to seizure of some medicines looking like drugs. In course of search articles were seized mentioned in the FIR.

Submission is that none of the articles was narcotics drugs. These were the medicines which were prescribed by the doctor. The doctor has been examined and he in his statement under section 161 Cr.P.C. has stated that he has prescribed those medicines. In fact, the medicines were seized assuming it to be drugs.

Considering the facts and circumstances of the case, the petitioners, Md. Jamal, Md. Alam, Md. Majbul, Md. Jafir, Md. Sayeed of Cr. Misc. No. 24011 of 2008 and the petitioner Md. Matibul of Cr. Misc. No. 24040 of 2008 are directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) each with two

sureties of the like amount each to the satisfaction of the Special Judge, Purnea in connection with Thakurganj P.S. Case No. 7 of 2008.

avin. **(Shyam Kishore Sharma, J.)**

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